IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 3881 of 2005

Between:

Abdul Saleem, S/o. Late Dr. Mahaboob Ali,
R/o. Sreerangapur Vill, Pebbair Mandal,
Mahabubnagar District.

..... PETITIONER

AND

1 The District Collector, Panchayat Raj Wing, Mahabubnagar District,

Mahabubnagar.
2 The District Panchayat Officer, Panchayat Raj, Mahaboobnagar.
3 The Divisional Panahcayat Raj Officer, Gadwal, Mahabubnagar

District.
4 The Mandal Development Officr, Pebbair Mandal, Mahabubnagar

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ or order or direction more particularly in the nature of writ of Mandamus declaring the proceedings of the Respondent No.1 bearing No.A1/1061/2002 dt. 15.02.2005 as illegal, arbitrary, unconstitutional and violative of principles of natural justice.

Counsel for the Petitioner:MR.T.HANUMANTHA REDDY

Counsel for the Respondent No.1 to 4: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the admission stage made the following:

ORDER;

Against the impugned order passed under Section 249(6) of the Andhra Pradesh Panchayat Raj Act, 1994 (For short 'the Act') an alternative remedy is available under Section 264 of the Act by way of revision before the Government. Without exhausting the said alternative remedy, the petitioner cannot maintain this writ petition.

Accordingly, the writ petition is disposed of granting leave and liberty to the petitioner to work out the alternative remedy as available under law. However, having regard to the facts and circumstances of the case, it is made clear that the impugned order shall not be given effect for a period of two weeks from today. No costs.

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01-03-2005

To

1 The District Collector, Panchayat Raj Wing, Mahabubnagar District,

Mahabubnagar.
2 The District Panchayat Officer, Panchayat Raj, Mahaboobnagar.
3 The Divisional Panahcayat Raj Officer, Gadwal, Mahabubnagar District.
4 The Mandal Development Officr, Pebbair Mandal, Mahabubnagar District.

5. Two CCs to the Government Pleader for Panchayat Raj & Rural Development, High Court Building, Hyderabad. (OUT)

6. Two C.D. copies.

Note:

CC by tomorrow.

(Bo)

sj